

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KORY J. SMITH,	:	
Plaintiff,	:	
	:	Case No. 3:19-CV-81
vs	:	District Judge Thomas M. Rose
	:	
THE MATHESON TRI-GAS MEDICAL	:	
PLAN,	:	
Defendant.	:	

ORDER OF DISMISSAL: TERMINATION ENTRY

The Court having been advised on May 9, 2019, that the above matter has been settled, IT IS ORDERED that this action is hereby DISMISSED, without prejudice, provided that any of the parties may, upon good cause shown within sixty (60) days, reopen the action if settlement is not consummated.

Parties may submit a substitute Judgment Entry once settlement is consummated within the sixty (60) day period. Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry. The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

IT IS SO ORDERED.

s/Thomas M. Rose

Date: August 19, 2019

Thomas M. Rose, Judge
United States District Court